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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------|------------------------|----------------------|----------------------|------------------|
| 10/720,030 | 11/24/2003 | Taketo Heishi | 67471-030 | 5444 |
| Michael E Foga | 7590 12/16/200 artv | 9 | EXAM | IINER |
| McDermott Will & Emery | | | PARTRIDGE, WILLIAM B | |
| 600 13th Street Suite 1200 | NW | | ART UNIT | PAPER NUMBER |
| Washington, Do | C 20005-3096 | | 2183 | |
| | | | | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 12/16/2009 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) | |
|---|---|--|----------|
| Examiner-Initiated Interview Summary | 10/720,030 | HEISHI ET AL. | |
| | Examiner | Art Unit | |
| | William B. Partridge | 2183 | |
| All Participants: | Status of Application: <u>Rei</u> | ssue, ater non-final | |
| (1) <u>William B. Partridge</u> . | (3) | | |
| (2) <u>Ramyar M. Farid</u> . | (4) | | |
| Date of Interview: 9 December 2009 | Time: <u>2:00 PM</u> | | |
| Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant ☐ Applic Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description: | cant's representative) | | |
| Part I. | | | |
| Rejection(s) discussed: | | | |
| Claims discussed: | | | |
| Prior art documents discussed: | | | |
| Part II. | | | |
| SUBSTANCE OF INTERVIEW DESCRIBING THE GENE See Continuation Sheet | ERAL NATURE OF WHAT WAS | DISCUSSED: | |
| Part III. | | | |
| It is not necessary for applicant to provide a separate directly resulted in the allowance of the application. The of the interview in the Notice of Allowability. It is not necessary for applicant to provide a separate did not result in resolution of all issues. A brief summa | ne examiner will provide a written record of the substance of the | en summary of the su interview, since the i | ıbstance |
| /William B Partridge/ Examiner, Art Unit 2183 | (Applicant/Applicant's Representat | ive Signature – if appro | priate) |

Continuation of Substance of Interview including description of the general nature of what was discussed: Contacted Applicant to inform them of the defective declaration as per MPEP 1414 and 1402, specifically in that "A statement of at least one error which is relied upon to support the resissue application, i.e., which provides a basis for the resissue" is not found in the declaration. While Applicant does point out that they did not claim all they could have, that alone is not sufficent for a reissue. Applicant indicated that they would file a new declaration but that there may be a delay due to the holidays. Examiner confirmed that the delay would be acceptable and that the notice of allowance would be held until such time as the new declaration is submitted.

/David J. Huisman/ Primary Examiner, Art Unit 2183